

LAKE COUNTY BOARD of ADJUSTMENT
February 10, 2016
Lake County Courthouse Commissioners Office (Rm 211)
Meeting Minutes

MEMBERS PRESENT: Sue Lavery, Steve Rosso, Don Patterson, Frank Mutch, Merle Parise

STAFF PRESENT: LaDana Hintz, Robert Costa, Lita Fonda, Wally Congdon

Sue Lavery called the meeting to order at 4:02 pm.

Regarding the Dec. 9, 2015 minutes, Steve corrected 'represent' to 'representing'.

Motion made by Sue Lavery and seconded by Don Patterson, to approve the Dec. 9, 2015 meeting minutes as corrected. Motion carried, all in favor.

Corrections were given for the January 13, 2016 minutes. In the 5th line of the 3rd paragraph on pg. 2, Steve changed 'fence existing' to 'existing fence'. Don listed changes. In the 3rd line of the next-to-last paragraph on pg. 1, ';' those' was removed. In the 8th line of the 1st paragraph on pg. 4, 'They got a letter turned in' changed to 'They turned in a letter'. In the motion on pg. 15, 'to the next meeting' was added after 'to table this item.' In the next-to-last paragraph on pg. 12, the last two sentences were combined into one, to read 'about 1 ½ acres he developed' where they merged. Lita double-checked with the Board that the motion at the bottom of page 6 was to include the words 'as amended'. Board members confirmed this and directed the brackets to be removed. Frank changed the 5th line of the 2nd paragraph on pg. 11 from 'well digger trap' to 'well digger truck'. He asked if the words 'DRAFT' could be lightened in the future. Lita said she would try to lighten it.

Motion made by Don Patterson, and seconded by Sue Lavery, to approve the Jan. 13, 2016 meeting minutes as amended. Motion carried, all in favor.

Sue announced that the Mendenhalls had asked for their item to be postponed.

GARNETT CONDITIONAL USE—UPPER WEST SHORE (4:10 pm)

Robert Costa introduced Monte Garnett, the applicant and Paul Bishop, the agent, and presented the staff report. (See attachments to minutes in the Feb 2016 meeting file for staff report.) Steve confirmed with Robert that the sentence that began with 'As shown' in the 3rd section of item #3 on pg. 8 could be ignored and crossed out.

Steve asked if this property was in the Rollins Fire District. Lynn Weaver said they didn't believe it was. Merle asked what fire district this was in and received the answer it wasn't in a district. Steve thought the Rollins Fire District needed to consider annexing more property. At the time the district was formed, there probably weren't any homes that far up on the hills so they didn't think there was a reason to include it in the district. Monte said he was building according to the fact that he wouldn't be saved. LaDana

noted there was no requirement for comment from the fire department. It wasn't like the East Shore zoning, which asked for comment for variances. Steve and Robert looked at #5 on pg. 12 in the findings. It said providing adequate access for emergency services was the applicant's responsibility.

Monte Garnett said he'd been very conscious of the lot. He already seeded it with Dutch clover. He had the lot for 10 years and took his time to build and have a good spot. He hadn't known all of the procedures and hadn't realized that by disturbing that area it would be considered building. The disturbance was to set up the site. He didn't mean to go against what was proper. He thought it was a good plan.

Merle asked about provision of electricity and easement. Monte said that was provided by Flathead Electric. The electrical service was underground power along the lower road on his property. He described the location of a vault on the right of way below his property within 150 feet of the building site. There was already an underground conduit within 50 feet of his building site. He hadn't gone ahead with that yet. He planned to use a generator for a while until he was more set up. Steve confirmed with Monte that the current well had no power to it.

Public comment opened:

Lynn Weaver owned property up there. He calculated the disturbance was less than 1% of the lot size. It was pretty minimal from his view. He hoped the Board approved it.

Steve thought the zoning district regulations said a disturbance over 2000 [square feet] had to go through a conditional use evaluation.

Public comment closed.

**Motion made by Steve Rosso, and seconded by Don Patterson, to approve the conditional use with findings of fact and conditions as presented by the staff.
Motion carried, all in favor.**

**MENDENHALL VARIANCE & CONDITIONAL USE—EAST SHORE -
POSTPONED**

OTHER BUSINESS (4:20)

LaDana welcomed Merle Parise, who shared some background. LaDana asked the Board members to keep the Mendenhall reports, which might be heard in March. Sue reminded she would be gone in March.

Sue Lavery, chair, adjourned the meeting at 4:32 pm.